

Superior Court of California - County of San Bernardino
APPOINTED SERVICES FEE SCHEDULE

Revised 7-1-2008

The Court's Local Rules and appointed service claim forms are available at the Court's website: www.sbcounty.gov/courts/

A. ATTORNEY FEES - CRIMINAL CASES

TYPE OF HEARING	MISD	FELONY			COMMENTS
		Complaint	Info./Indict.	Complex	
Appointment - Misdemeanor	\$300				Arraignment on Misdemeanor Complaint, entry of initial plea, all conf.s w/ defendant and/or D.A. and pre-trials, discovery, readiness confs. and sentencing. [LRC 1402a2]
Appointment - General Felony Criminal Complaint		\$350			Arraignment on Fel. Complaint, entry initial plea, confs. w/ defendant, discovery, all court appearances except per Rule 1329b et seq., confs. w/ D.A., prel. hrng. or entry of 859a or misd. plea, confirmation of 859a plea and sentencing. [LRC 1402a1]
Appointment - Felony Info. or Indictment Arraignment on info./indictment, entry of plea, conf. w/ defendant, discovery, conf.s w/ D.A., review transcript of prel. hrng., readiness conf., pre-trial calendar, change of plea and sentencing			\$250		If new counsel. Additional time reasonably expended by attorney shall be paid at the rate of \$60/HR at the discretion of the Court. [LRC 1402b1]
			\$150		If same attorney who was appointed on criminal complaint. Add'l. time reasonably expended by attorney shall be paid at the rate of \$60/HR at the discretion of the Court. [LRC 1402b1]
Appointment - Complex Felony				\$270	Arraignment, entry of plea, conf. w/ defendant, discovery, confs. w/ prosecutor, review transcript of prelim. hrng., readiness conf. and pre-trial calendar. Additional time reasonably expended by attorney shall be paid at the rate of \$65/HR at discretion of the Court. [LRC 1403a]
Appointment to represent same defendant in additional pending cases	\$75	\$150	\$150	\$150	[LRC 1402a5, 1402b6, 1403c2]
Appointment to represent witness	\$60/HR ¹	\$60/HR ¹	\$60/HR ¹	\$65/HR	[LRC 1402a6, 1402d, 1403c3] Note 1 = Not to exceed max. of \$150. [LRC 1402a6, 1402d]
Trial - Half Day	\$150	---	\$195	\$250	[LRC 1402a4, 1402b4, 1403b]
Trial - Full Day	\$250	---	\$390	\$450	
Probation violation hearings	\$35	\$50	\$50	\$50	[LRC 1402a7, 1402a8, 1402c2, 1403c1]
Prob. violation hrng. add'l pending case	\$35	\$50	\$50	\$50	[LRC 1402a5, 1402b7, 1403c4]
Prob. hrng., pronouncement judgment and related post-trial motions	---	---	\$50 ²	\$55	[LRC 1402c1, 1403c] Note 2 = Plus hourly at \$60/hr at Court's discretion. [LRC 1402c1]
Prep. and appearances re: Petition to Revoke Probation	---	---	\$195	\$250	[LRC 1402b3, 1403c5]
Written motions and/or evidentiary hearings, collectively, on a complaint	\$60/HR ³	\$60/HR ³	---	---	Note 3 = Not to exceed a maximum of \$150. [LRC 1402a3]
Motions under PC 995 or 1538.5 and evidentiary motions	---	---	\$195 ⁴	\$65/HR	[LRC 1402b5, 1403a1] Note 4 = Any increase shall be at discretion of Court. [LRC 1402b5]
Add'l Court appear. not for convenience of appointed attorney	---	---	\$50	\$55	[LRC 1402b2, 1403a2]
Mileage	---	See Note	See Note	See Note	Note - Mileage may be paid at Court-approved rate at Court's discretion if case is transferred to new District exceeding 30 miles from originating District. [LRC 1402a9, 1402b8, 1403d]

B. ATTORNEY FEES - JUVENILE COURT

TYPE OF HEARING OR ACTIVITY	FEE	
Conf. w/ juvenile, parents, probation officer, includes detention hearing or prehearing	\$250	[LRC 1401a]
Disposition hearing, conf. w/ juvenile, parents, probation officer	\$85	[LRC 1401b]
Jurisdictional Half Day	\$195	[LRC 1401c]
Trial Half Day	\$150	[LRC 1401c]
Trial Full Day	\$250	[LRC 1401c]
Additional court appearance/prior to adjudication/not for convenience of appointed attorney	\$50	[LRC 1401d]
Prima Facie or contested dispositional not to exceed 1/2 Day	\$130	[LRC 1401e]
Court appearance after adjudication (annual review, appearance review, change of placement)	\$50	[LRC 1401f]

C. ATTORNEY FEES - CIVIL, FAMILY LAW, PROBATE/CONSERVATORSHIP

TYPE OF HEARING OR ACTIVITY	FEE	
Appointment, entry of plea, conferences, includes case preparation and appearances	\$300	[LRC 1405a1]
Written motions and/or evidentiary hearings, collectively on a complaint	\$60/HR	Not to exceed maximum of \$150. [LRC 1405a2]
Trial on civil or family law complaint - Half Day	\$150	[LRC 1405a3]
Trial on civil or family law complaint - Full Day	\$250	[LRC 1405a3]
Additional court appearance not for convenience of appointed attorney	\$50	[LRC 1405a4]
Preparation and appearances regarding stipulated agreements	\$50	[LRC 1405a5]
Hourly rate for out of court preparation time reasonably expended at Judge's discretion	\$60/HR	[LRC 1405a6]

Attorney Fee Schedule Notes

All claims must be submitted on Court forms to the Court where the case is heard within 60 days of completion of case. All statements for post-dispositional activities are to be submitted within 60 days of the hearing. If an attorney submits a claim before the end of a case, a copy of prior billings for the same case must be submitted with subsequent billings. [LRC 1414] When hourly billing is approved by the Court, the minimum billing increment is 0.25 hours (15 minutes). [LRC 1413]

Claims for attorney fees in Family Law cases must be submitted by the last day of each month, beginning the month of appointment. Any claim submitted more than 30 days late subject to penalty of 10% of claim amount per month. [LRC 1417]

The above fee provisions will cover the usual and ordinary handling of a criminal case, including ordinary office expenses. However, expenses reasonably and necessarily incurred by counsel, including costs of service and process, copies of documents and long-distance telephone calls may be reimbursed. Original receipts required. Expenses for investigators, experts and psychotherapists and any single expense item in excess of \$50.00 shall not be incurred without prior express written approval from the Court. [LRC 1415]

In cases where, because of the complexities thereof, the seriousness of the charge or novel legal procedures being involved, extensive research, trial preparation and investigation are required, additional extraordinary fees may be allowed at the discretion of the Court. It should be understood that extraordinary fees are not designed to cover the routine or usual legal services or ordinary office expenses. [LRC 1416]

Complex felony billing rate must have prior express written approval of the Court, unless the case and defendant were listed on the District Attorney's list of death penalty and LWOP cases during the dates of service on the attorney service claim [LRC 1403]. All attorney fees for Death/LWOP for cases appointed after September 1, 1997 are established by the Court's Fee Schedule Agreement for Capital/LWOP Case Appointments [LRC 1419].

D. ATTORNEY FEES - APPELLATE DIVISION

TYPE OF HEARING OR ACTIVITY		FEE	
Communications (including client/def., prev. counsel)		up to 3.5 hrs at \$60/hr, maximum \$175	[LRC 1404a]
Record Review		60 pages per hour at \$60/hr	[LRC 1404b]
Preparation of Proposed Statement on Appeal		\$60/hr	[LRC 1404c]
Motions	Extensions of Time	up to 0.5 hr at \$60/hr, maximum \$25	[LRC 1404d]
	Augment	up to 1.5 hrs at \$60/hr, maximum \$75	
	Other Motions	Reasonable time at Court's discretion at \$60/hr	
Appellant's Opening Brief			[LRC 1404e]
Statement of Facts		up to 1/3 of record review time at \$60/hr	
Briefed Issues	Very Simple	up to 2.5 hrs at \$60/hr, maximum \$125	
	Simple	up to 4 hours at \$60/hr, maximum \$200	
	Simple/Average	up to 6 hours at \$60/hr, maximum \$300	
	Average	up to 8 hours at \$60/hr, maximum \$400	
	Average/Complex	up to 11 hours at \$60/hr, maximum \$550	
Unbriefed Issues	Complex	up to 13.5 hours at \$60/hr, maximum \$675	
	Simple	up to 0.5 hours at \$60/hr, maximum \$25	
	Average	up to 2.5 hours at \$60/hr, maximum \$125	
	Complex	up to 5 hours at \$60/hr, maximum \$250	
Reply Brief		up to 1/3 of Appellant's Opening Brief recommendation	[LRC 1404f]
Supplemental Brief		Appellant's Opening Brief issue standards	[LRC 1404g]
Review of Opposing Counsel Brief		up to 2.5 hours at \$60/hr, maximum \$125; 0 hours if Wende	[LRC 1404h]
Petitions - Habeas		up to 12 hours at \$60/hr, maximum \$600	[LRC 1404i]
Petition for Rehearing		up to 6 hours at \$60/hr, maximum \$300	
Petition for Review		up to 10 hours at \$60/hr, maximum \$500	
Other Petitions		Reasonable time at Court's discretion at \$60/hr	
Review Response		Reasonable time at the Court's discretion at \$60/hr	
Reply to Response		up to 1/3 of petition time at \$60/hr	
Oral Argument		up to 7.5 hours at \$60/hr, maximum \$375	[LRC 1404j]
Review Opinion		up to 1.5 hours at \$60/hr, maximum \$75; up to 0.2 hours at \$50/hr if Wende, max \$10	[LRC 1404k]
Other	Review Superior Court File	up to 2 hours at \$60/hr, maximum \$100	[LRC1404l]
	Miscellaneous	Reasonable time at Court's discretion at \$60/hr	
Expenses	Photocopying	Up to \$.10 per page (10¢/pg) – original receipt required	[LRC 1404m]
	Postage	Actual, if reasonable at Court's discretion – receipt req'd	
	Telephone	Actual, if reasonable at the Court's discretion - copy of bill or phone log required	
	Travel	Atty mileage may only be reimbursed if authorized in advance by the Court, at the current Court approved rate in effect on dates of service. Mileage reimbursement will generally only be authorized for travel for interviews to properly prepare a brief.	
Computerized Research		Ordinary research not compensable	[LRC 1404m]
Paralegal/Law Clerk		Services on Appellate cases must have specific prior Court approval to be reimbursed, and will be reimbursed up to max. rate of \$25/hr. If approved, services must be fully itemized as to specific dates/hours/activities.	[LRC 1404m]
Expert Witnesses, Investigator, Translator		Services must have prior Court approval to be reimbursed, and will be reimbursed at the same rate allowed for criminal case appointments, and the misdemeanor investigator rate (\$17.50/hr). If approved, services must be fully itemized as to specific dates, hours, and activities.	[LRC 1404m]

E. MEDICAL EXPERT FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	FEE	COMMENTS
PC 1026/1368 Exams and Reports	\$300	[LRC 1460.5] A Letter of Psychiatric Appointment or file-stamped copy of the court order of appointment must accompany all claims for appointed evaluation services [LRC 1460.4]. Upon prior approval of the Court after written request, in cases where, because of complexities, the seriousness of the charge, or novel medical examinations, extensive research and/or trial preparation are required, extraordinary medical expert fees may be allowed for M.D.s and Ph.D.s at the rate of up to \$90/HR; if MD/PhD Board-certified in specialty, fees up to \$125/HR, and testimony up to \$450/Half Day and \$800/Full Day may be authorized [LRC 1460.7]. If hourly billing is authorized by the Court, services must be fully itemized per LRC 1460.1 (third paragraph).
Defense requested 1017 Exam and Report	\$350	
Narcotic Evaluation and Report	\$250	
Sex Offender Exam and Report	\$250	
Court appearances Half Day	\$350	
Court Appearances Full Day	\$600	
Mileage paid at current Court approved rate		

F. INVESTIGATOR AND LEGAL RUNNER FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	FEE	COMMENTS
Juvenile Delinquency, Misdemeanor, Felony, Family Law, Guardianship	\$30/HR	[LRC 1460.2] Prior express written approval of the Court is required for all investigation and legal runner services. A file stamped copy of the court order of appointment must accompany all claims for payment for investigation and legal runner services. Billings must be signed by defense counsel prior to submittal to the Court for payment.
Capital/Life Without Parole	\$35/HR	
Per Diem (associated with authorized travel)	\$25/DAY	[LRC 1460.1] Costs of services performed prior to the order of the Court, and costs of services beyond that provided for in the court order, will be denied. [LRC 1460.6]
Legal Runner	See Note 1	
Mileage paid at current Court approved rate		Note 1: Legal runner rate is California minimum wage plus 15.3% self-employment tax (1/1/08 \$8.00 + \$1.22 = \$9.22)

G. EXPERTS FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	FEE	FEE IF BOARD CERTIFIED IN FIELD	COMMENTS
Experts	Max \$80/HR		[LRC 1460.3] Prior express written approval of the Court is required for all expert services. A file stamped copy of the Court order of appointment must accompany all claims for payment for expert services (except Psych. Evaluations; see above). Billings must be signed by defense counsel prior to the Court for payment. [LRC 1460.1] Costs of services performed prior to the order of the Court, and costs of services beyond that provided for in the court order, will be denied. [LRC 1460.6]
M.D.s, Ph.D.s or equivalent	Max \$95/HR	Max \$125/HR	
Testimony Half Day	Max \$350	Max \$450	
Testimony Full Day	Max \$600	Max \$800	
Paralegals	Max \$25/HR		
Transcription services (see note below)	Max \$3/page		
Requests for extraordinary expert billing rates that exceed those specified in this fee schedule must be made by written motion with a detailed supporting declaration specifying the unique nature of the expert's service and why an extraordinary billing rate is justified, and receive prior approval of the Court. It is the duty of counsel to endeavor to negotiate the lowest hourly rate the expert will work for recognizing that the expert's services are a public expense. [LRC 1460.7]			

Investigator/Legal Runner/Expert Fee Schedule Notes

All claims for investigators and experts shall be submitted on Court forms within 60 days of completion of case. [LRC 1460.1]
 Specific prior Court approval is required for all investigator services, and expert services including transcription services. [LRC 1460.6]
 Locations (city) must be specified on claims. The Court's minimum billing increment is 0.25 hours (15 minutes). [LRC 1460.1]
 Original receipts required for all expense items. Special expense items and any single expense item in excess of \$50 must have specific prior court approval to be reimbursed.
 Legal runner services, when appointed by the Court, are limited to photocopying, and transporting of materials, orders and motions. [LRC 1451]
 Paralegal appointments generally reserved for capital cases [LRC 1451]. Paralegals must work under direction and supervision of a member of State Bar [B&P 6450].

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